

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL MENZIES,

Plaintiff

19 Civ. 11235 (JGK)

-against-

SCHEDULING ORDER

LONG ISLAND RAILROAD COMPANY,

Defendant.

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JOHN G. KOELTL, District Judge:

Pursuant to Fed.R.Civ.P. 16(b), after holding a conference in this matter on May 11, 2020, the Court hereby orders that:

Pleadings and Parties: Except for good cause shown –

1. No additional parties may be joined or causes of action asserted after June 15, 2020
2. No additional defenses may be asserted after June 15, 2020

Procedural Motions: Except for good cause shown, no procedural motions shall be filed or heard after N/A

Discovery. Except for good cause shown, all discovery shall be commenced in time to be completed by 8/14/2020. The Court expects discovery to be completed within 60 days of the first scheduling conference unless, after the expiration of that 60 day period, all counsel stipulate that a additional time (not to exceed 60 more days) is needed to complete discovery.

Dispositive Motions:* Dispositive motions, if any, are to be served by September 14, 2020

Pre-Trial Order/Motions in Limine:* A joint pre-trial order together with any motions in limine or motions to bifurcate shall be submitted by September 30, 2020. The pre-trial order shall conform to the Court's Form Joint Pretrial Order, a copy of which may be obtained from the Deputy Clerk.

Trial:* The parties shall be ready for trial on 48 hours notice on or after October 13, 2020. The estimated trial time is 4 days, and this is a Jury X Non-Jury _____ trial.

Mediation. Counsel for the parties have discussed the merits of mediation in regard to this action and wish to employ the free mediation services provided by this Court.

Yes _____ No _____

***Notes:** In the event a **dispositive** motion is made, the dates for submitted the **Joint Pre-Trial Order** (together with Memorandum of Law, Requests to Charge, Proposed Voir Dire, Proposed Findings of Fact

and Conclusions of Law, as appropriate) shall be changed from that shown above to **four (4) weeks** from the decision on the motion. The **ready trial date** shall be adjourned to a date **four (4) weeks** after the decision on the dispositive motion. The final pretrial conference, if any, will be scheduled by the Deputy Clerk.

At any time **after the ready for trial date**, counsel must notify the Court and their adversaries in writing of any potential scheduling conflicts, including, but not limited to, trials and vacations, that would prevent a trial at a particular time. Such notice must come **before** counsel are notified by the Court of an **actual trial date, not after**. Counsel should notify the Court and all other counsel in writing, at the earliest possible time of any particular scheduling problems involving out-of-town witnesses or other exigencies.

Other:

_____ The case is referred to the Magistrate Judge for purposes of settlement (see attached Reference Order).

X The parties will notify the Court by August 14, 2020 whether a reference to the Magistrate Judge would be useful for purposes of settlement and/or whether they consent to trial before the Magistrate Judge. The parties may communicate with the Court with respect to these matters by joint letter.

SO ORDERED:

Dated: _____
New York, New York

John G. Koeltl
United States District Judge

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